## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplication of

F. CLERC, et al

Examiner:

Not Assigned

Application No.:

10/808,889

Art Unit:

Not Assigned

Filed:

25 March 2004

Title:

**Substituted Benzimidazole Compounds and** 

Their Use for the Treatment of Cancer

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## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

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Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

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This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

(b)	This Information Disclosure Statement is filed after the period set forth in 37 C.		
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	(1)	The undersigned attorney certifies that each item of information contained in this	
		Information Disclosure Statement was cited in a communication from a foreign	
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		to the filing of this statement;	
	(2)	The undersigned attorney certifies that no item of information contained in this	
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Based on the new USPTO procedures, it is not required to submit copies of U.S. Patents and U.S. publications for all applications filed after June 30, 2003. Therefore a copy of the two (2) U.S. Patent Documents listed on the Attached PTO-1449 form are not enclosed with this Information Disclosure Statement.

NOTE: U.S. Patent 4,639,463 is the English language counterpart to EP 0 115039A1. CA 1,069,909 is the English language counterpart to DE 25 41 752 A.

Respectfully submitted,

Lawrence L. Martin, Reg. No. 46,902

Attorney/Agent for Applicant

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known					
Application Number	10/808,889				
Filing Date	03-25-2004				
First Named Inventor	CLERC				
Group Art Unit	Not Assigned				
Examiner Name	Not Assigned				
Attorney Docket Number	ST01027 - US - CNT				

	U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.1	U.S. Paten	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		3,996,368		LOEWE et al	12-07-1976			
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		CA	1,069,909		LOEWE et al	01-15-1980		
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitu	te for form 1449B/	PTO		Complete if Known		
		_		Application Number	10/808,889 03-25-2004	
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Sheet	2	of	2	Attorney Docket Number	ST01027 - US - CNT	

OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS							
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>				
		DAVIES T. G. et al, Inhibitor Binding to Active and Inactive CDK2: The Crystal Structure of CDK2-Cyclin A/Indirubin-5-Sulphonate, Structure, Vol. 9, May, 2001, pp 389-397					
		TOOGOOD Peter L., Cyclin-Dependent Kinase Inhibitors for Treating Cancer, Medicinal Research Reviews, Vol. 21, No. 6, 2001, pp 487-498					
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